

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:95-CR-70
)	
DENNIS RICHARD GORDON)	

ORDER

This criminal case is before the court for consideration of the report from the Bureau of Prisons [doc. 62] recommending that, although the defendant continues to suffer from a major mental illness, his symptoms are well controlled, and he could be released into the community under specified conditions. A hearing was held to discuss the recommendations, and the parties were in agreement that the defendant should be conditionally released. He shall not be released from the Federal Medical Center, however, until the Bureau of Prisons has designated him to Midway Sanction Center, Knoxville, Tennessee, and it is certain that a bed is available at Midway and transportation to Knoxville can be arranged, in order to avoid any disruption in Mr. Gordon's medication regimen.

Therefore, with the agreement of the parties, as evidenced by their signatures below, the defendant shall be released on the following conditions:

1. Mr. Gordon shall reside at Midway Sanction Center, Knoxville, Tennessee, for the first 180 days following his release from the Federal Medical Center in Rochester, Minnesota.

2. Mr. Gordon shall be supervised by the United States Probation Office, and he shall comply with the standard conditions of supervision as adopted by the United States Probation Office for the Eastern District of Tennessee, including but not limited to the following:

- a) He shall not commit another federal, state or local crime;
- b) He shall not possess at any time a firearm or other deadly weapon; and
- (c) He shall submit to a warrantless search of his person, vehicle, or premises to determine compliance with the conditions of his release.

The United States Probation Officer shall communicate any violation of the conditions of release to the Court so Mr. Gordon's conditional release status can be reviewed. Revocation of conditional release will result in his return to the custody of the Attorney General as soon as transportation can be arranged.

3. Mr. Gordon shall maintain active participation in a regimen of outpatient mental health treatment as recommended by his Probation Officer. At this time, his mental health care shall be administered by the Helen Ross McNabb Center, Knoxville, Tennessee. While on outpatient status, should it at any time be deemed necessary by treating clinicians, Mr. Gordon may be returned to inpatient care at a facility designated by the Tennessee Department of Mental Health.

4. When the defendant is discharged from Midway Sanction Center, he shall comply with any mental health treatment program and residential arrangements that are deemed necessary. Any change in residence and/or roommates must be approved in advance by the supervising Probation Officer.

5. Mr. Gordon shall continue to take all psychotropic medication as ordered, including injectable units, as shall be prescribed for him by the clinicians at the outpatient or any inpatient mental health facility. He shall submit to laboratory testing, including blood tests, to insure compliance with his treatment regimen.

6. Mr. Gordon shall abstain from alcohol and illegal drug use, shall submit to periodic testing, and shall participate in alcohol and drug treatment if deemed appropriate by the supervising Probation Officer.

7. Mr. Gordon shall waive all rights to confidentiality of his mental health and substance abuse treatment to allow sharing of information between the supervising Probation Officer and the treatment providers.

8. The mental health provider may at any time recommend modification or elimination of the regimen of medical, psychiatric or psychological care or treatment upon certification to this court that to do so would not create a substantial risk of bodily injury to another person or serious damage to property of another. Any request for modification or elimination shall be made to the United States Probation Office and United States Attorney's Office for the Eastern District of Tennessee.


9. Mr. Gordon is banned from Dollywood Amusement Park or any properties owned by Dolly Parton, Inc. He must have permission to travel to or through Sevier County, Tennessee, the location of these properties.

10. Mr. Gordon shall apply for and maintain his Social Security Disability benefits unless discontinuing benefits is approved in advance by the supervising Probation Officer.

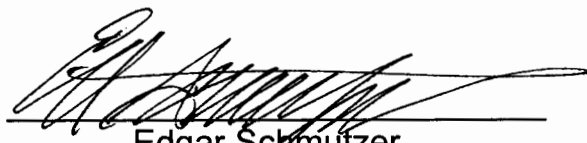
Mr. Gordon's failure to adhere to any of these conditions will result in his arrest and a subsequent review by this court to determine if Mr. Gordon remains eligible for continued release into the community or is in need of hospitalization.

IT IS SO ORDERED.


ENTER:



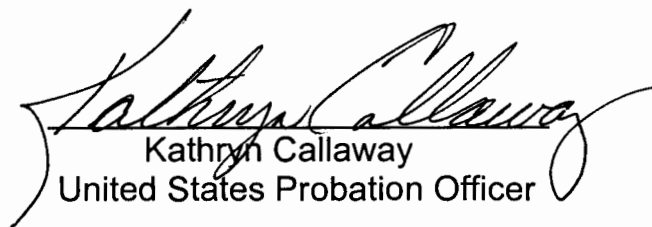
Leon Jordan
United States District Judge



Edgar Schmutzer
Assistant United States Attorney



Wade Davies
Counsel for Defendant



Kathryn Callaway
United States Probation Officer